

REMARKS

Claims 1-17 are pending. By this Amendment, claims 1-17 are amended and new claims 18-39 are added.

35 U.S.C. § 102

Amended claim 1 now recites the limitation "measuring transmitted light intensity of light from the light incident side for a plurality of light incident angles by rotating the element about an axis perpendicular to the direction of transmitted light towards the element." Therefore, amended claim 1 should now be patentable over the Hirosawa reference. Claims 2-7 depend from claim 1 and should be patentable for the same reasons as indicated above for claim 1 as well as for the additional limitations added in each respective claim. Applicant respectfully requests that the Examiner withdraw the rejections to claim 1 and dependent claims 2 - 7.

Claim 8 is rewritten in independent form and recites the limitations "measuring transmitted light intensity of light from the light incident side for a plurality of light incident angles by rotating the element about an axis perpendicular to the direction of transmitted light towards the element and at a plurality of optical element arrangements for each light incident angle; analyzing dependence of the measured transmitted light intensity for the plurality of light incident angles; and determining the pretilt angle of the element based upon the analysis results." These limitations are not found or suggested in Hirosawa. Therefore, Claim 8, as amended, should be patentable over the Hirosawa reference. Claims 9-15 now depend from claim 8 and should be patentable for the same reasons as indicated above for claim 8 as well as for the additional limitations added in each respective claim. Applicant respectfully requests that the Examiner withdraw the rejections to claims 9, 10, 11 and 12.

Claim 16 is rewritten in independent form and recites the limitation "a light source, a polarizer, an element in which the direction of orientation of molecules is twisted from a light

incident side to a light outgoing side, an analyzer, and a photodetector, wherein the apparatus also comprises a processing device for processing output signals from the photodetector, the processing device analyzes the dependence of transmitted light intensity on a light incident angle based upon the transmitted light intensities for a plurality of light incident angles that were output from the photodetector, wherein a plurality of light incident angles are determined by rotating the element about an axis perpendicular to the direction of light from the light source, in which light is transmitted in the direction towards the element, and detects the pretilt angle of the element based upon the analysis results." This limitation is not found or suggested in Hirosawa. Therefore, Claim 16, as amended, should be patentable over the Hirosawa reference. Claim 17 now depends from claim 16 and should be patentable for the same reasons as indicated above for claim 16 as well as for the additional limitations added in each respective claim. Applicant respectfully requests that the Examiner withdraw the objections to claims 16 and 17.

New claims 18-39 which are added by this amendment depend from independent claim 16 and should be patentable for the same reasons as indicated above for claim 16 as well as for the additional limitations added in each respective claim.

Applicants appreciatively acknowledge the Examiner's indication of allowable subject matter in claims 4-8 and 13-17. The Examiner's objections to claims 4-8 and 13-17 as being dependent on a rejected base claim are moot in light of the above amendments to claims 1, 8, and 16. Applicant respectfully requests that the Examiner withdraw the objections.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas J. Christensen", written in a cursive style.

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